

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
**FET-19**

In Re Application Of: **Michael W. Lassota and Zbigniew C. Lassota**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/631,118	07/31/2003	Reginald Alexander	28,439	3742	3943

Invention:

**Food Processing Apparatus with Auto-Directive Controller and Method.**

**COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **May 16, 2008** finally rejecting Claim(s) 102, 103, 105 and 124

Applicant is a small entity under 37 CFR 1.9 and 1.27.

Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$255.00**

A check in the amount of the fee is enclosed.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **16-2370**

Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

Dated: **August 29, 2008**

James W. Potthast, Reg. No. 26,792  
 Law Offices of Potthast & Associates  
 10606 Deerpath Road  
 Woodstock, Illinois 60098  
 Voice: 815-334-0830  
 Fax: 815-334-0820  
 Email: [patents@potthastlaw.com](mailto:patents@potthastlaw.com)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_.

(Date)

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC: